

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
GREEN BAY DIVISION

MICHAEL A. HERT,

Plaintiff(s),

v.

Case No. 11-C-469

AURORA HEALTH CARE INC.,

Defendant(s).

NOTICE OF RULE 16(b) TELEPHONE SCHEDULING CONFERENCE

The parties have now appeared in the above-entitled action, which has been assigned to United States District Judge William C. Griesbach. Pursuant to Federal Rule of Civil Procedure 16(b), the Court will initiate and conduct a telephone scheduling conference on **January 6, 2012** at **9:00 a.m.**

Counsel familiar with the case are expected to attend the conference by telephone.

Counsel for the plaintiff and any other attorney or party asserting a claim in the case should be prepared to discuss the merits of their claim or claims, the likely value of each claim based on current knowledge, the anticipated discovery needed before trial, and the cost of such discovery. Counsel for any party against whom a claim is asserted should be prepared to discuss possible defenses, the anticipated discovery needed before trial, and the cost of such discovery. Counsel for each party should advise the Court whether there are any threshold issues that could dispose of the case, and be prepared to discuss ways in which such issues can be resolved quickly and inexpensively. All counsel should be prepared to discuss whether discovery of Electronically

Stored Information (“ESI”) will be sought in this case, in what form it will be requested and the costs of production. The purpose of the conference will be to establish a scheduling order which will limit the time:

- (a) to join other parties and to amend the pleadings;
- (b) to file and hear motions;
- (c) to complete discovery; and
- (d) to disclose experts.

The scheduling order may also include the date or dates for subsequent Rule 16 conferences, a final pretrial conference and trial as well as any other matters appropriate in the circumstances of the case. The time limitations set forth in the scheduling order shall not be modified except upon a showing of good cause and with the judge's consent. Fed. R. Civ. P. 16(b)(4).

Special attention should be given to Fed. R. Civ. P. Rule 26(f) which requires the parties to confer with each other at least twenty-one (21) days prior to the initial scheduling conference referenced above. The Rule 26(f) conference between the parties may be conducted by telephone. Rule 26 also mandates that the parties file a written report outlining the proposed discovery plan they have developed at their Rule 26(f) conference. The parties’ Rule 26(f) report is to be electronically filed with the Court no later than **December 30, 2011**, using the Court’s electronic case filing system.

In addition to the matters specified in subsections (A)-(F) of Rule 26(f)(3) Fed. R. Civ. P., the Court requests that the proposed discovery plan submitted by the parties include a very brief statement of the nature of the case, limited in length to several sentences.

As the court will initiate the call, Counsel are to provide the Office of the Clerk with the

telephone number at which they can be reached.

Dated November 21, 2011.

s/ William C. Griesbach
WILLIAM C. GRIESBACH
United States District Judge